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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,748	11/01/2000	Jeffrey R. Aamodt	418268823US	2107
45979 7590 03/20/2008 PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247				
EXAMINER				
BASOM, BLAINE T				
ART UNIT		PAPER NUMBER		
2173				
MAIL DATE		DELIVERY MODE		
03/20/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/703,748

**Applicant(s)**

AAMODT ET AL.

**Examiner**

Blaine Basom

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19-22, 24-30 and 32-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-22, 24-30 and 32-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

The Examiner acknowledges the Applicants' amendments to claims 19, 22, 28-30, 35, 38, 42, and 43, in addition to the Applicants' cancellation of claims 23 and 31.

Regarding the pending claims, the Applicants argue that Microsoft Project ("Using Microsoft Project 98," authored by Tim Pyron) and Schanel (U.S. Patent No. 5,704,028, which is attributed to Schanel et al.), cited in the previous Office Action, fail to teach simultaneously displaying graphical representations of tasks belonging to the same category in multiple formats, as is now claimed. The Examiner, however, respectfully disagrees with the Applicants' arguments.

As is more fully described *infra*, Microsoft Project includes a feature whereby users can change the display of text data, displayed with respect to the graphical representations of tasks, on both a category-by-category basis and a task-by-task basis. That is, one select a first format for text that is displayed with respect to a particular category of tasks (see e.g. "Formatting Text Displays for Categories of Tasks and Resources" on pages 697-700), and can further select individual tasks within that category to be displayed in a second text format (see e.g. "Formatting Selected Text" on pages 700-701). Microsoft Project can thereby be applied to simultaneously display graphical representations of tasks belonging to the same category in multiple formats, like claimed.

The Examiner acknowledges that claims 19, 29, and 35 have been further amended to specifically recite that a PERT chart or a network diagram is used to graphically represent the project data. With respect to such charts, the Applicants argue

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that Microsoft Project only describes customizing graphical representations on a category-by-category basis, and that the data fields displayed within a PERT chart can only be set globally.

In response, the Examiner submits that it would nevertheless have been obvious to one of ordinary skill in the art, to apply the above-described teachings provided by Microsoft Project with respect to customizing the display to text (i.e. whereby the user can also customize graphical elements, i.e. text, on a task-by-task basis), to said features for customizing the display of graphical representations and data fields within the PERT chart. That is, as is more fully described *infra*, it would have been obvious to modify Microsoft Project so that it can also be applied to customize the display of *selected* graphical elements (i.e. the border, selection of data fields, and layout of data fields), because the user would then have the leeway to be able to further refine the display of the project data. The Examiner thus respectfully maintains that Microsoft Project teaches – to one of ordinary skill in the art – simultaneously displaying within a PERT chart tasks belonging to the same category in multiple formats, each format specifying different data fields and a different layout of data fields, like expressed in claims 19, 29, and 35.

The Applicants' arguments presented with respect to the pending claims have thus been considered, but are moot in view of the following new grounds of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 43 is rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Project 98 (hereafter referred to as “Microsoft Project”), as described by Tim Pyron in the book entitled “Using Microsoft Project 98.” As disclosed by Pyron, Microsoft Project is a computer-implemented project management tool executed to generate and implement a project plan, including a schedule of tasks to be accomplished in a particular sequence (see “Why You Should Use Microsoft Project,” beginning on page 2).

Specifically regarding claim 43, a user of Microsoft Project can provide (i.e. via a “Text Styles” dialog box) a first format of a graphical element (i.e. text) for displaying information of tasks assigned a first category (see e.g. “Formatting Text Displays for Categories of Tasks and Resources” on pages 697-700); and can select tasks of the project assigned the first category whose information is to be displayed, and provide (i.e. via a “Format, Font” command) a second format of a graphical element for displaying information of tasks assigned the first category, whereby for each selected task, it is apparent that the graphical element is displayed in either the first or the second format (see e.g. “Formatting Selected Text” on pages 700-701), so that a graphical element for a task assigned the first category and displayed in the first format and a graphical element for a different task assigned the first category and displayed in the second format are

displayed simultaneously. Microsoft Project thus teaches a method like that of claim 43, which is for displaying information of different tasks in different formats.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 19-20, 22, 24-30, 32-36, and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project, which is cited above. As disclosed by Pyron, Microsoft Project is a computer-implemented project management tool executed to generate and implement a project plan, including a schedule of tasks to be accomplished

in a particular sequence (see “Why You Should Use Microsoft Project,” beginning on page 2).

Specifically concerning claims 19 and 35, Microsoft Project includes various means for entering project data, the project data identifying tasks of a project, whereby each task is defined by a plurality of data fields and can be assigned a category, e.g. “critical,” summary,” “milestone,” etc. (see e.g. pages 125-156, 225-231, and 720-721). Microsoft Project can display a network diagram, i.e. a PERT chart, graphical representation of the provided project data, wherein the project data understandably can include a first task and a second task that are assigned the same category and wherein the first task is represented as a first graphical element displayed in a first format of the associated category and the second task is represented as a second graphical element displayed in the first format of the assigned category, the first format including a first border surrounding a first set of cells arranged in a first layout, the first set of cells being configured to display a first set of data fields of the tasks of the category (see e.g. pages 225-227). The user can select, by double-clicking on its border, one or more of the graphical elements in the PERT chart (e.g. the second graphical element representing the second task), whereby options for formatting the selected graphical element are displayed via a “Box Styles” dialog box (see e.g. pages 720-722). The use can thereby select a second format for the selected graphical element representing the second task, the second format including a second border surrounding a second set of cells arranged in a second layout different from the first layout, the second set of cells being configured to display a second set of fields of the second tasks different from the first set of fields (see e.g. pages 720-722). As a result, it is apparent that the selected graphical elements are represented

in the selected second format. It is further apparent, however, that the selected second format is applied to *all* graphical elements having the same category (as is the case with the selected second border: see e.g. page 21), or even to all of the graphical elements in the PERT chart in general (as is the case with the selected second set of fields: see e.g. page 722). Accordingly, the user cannot customize the display of the project data on a task-by-task basis such that a first graphical element representing a first task comprises different data fields and a different layout of data fields from a second graphical element representing a second task, even though the first task and the second task are assigned the same category, as is recited in claims 1 and 35.

Nevertheless, it is known to provide the ability to customize graphical representations of tasks on a task-by-task basis, even though the tasks may belong to the same category. For example, Microsoft Project includes a dialog box (i.e. a “Text Styles” dialog box) that is applied to change the format of the text displayed with respect to the tasks, on a category-by-category basis. Such a dialog box is analogous to the above-described “Box Styles” dialog box, which is applied to change the format of the PERT chart boxes (i.e. graphical elements) on a category-by-category basis. However, Microsoft Project further includes a separate dialog box (hereinafter referred to as the “Format, Font” dialog box) that that is applied to similarly change the format of the text displayed with respect to *any selected* tasks (see e.g. “Formatting Selected Text” on page 700). It is therefore apparent that the user can apply such a dialog box to customize the display of the text on a task-by-task basis, such that for example, the text displayed with respect to first graphical element representing a first task comprises a different format



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from the text displayed with respect to a second graphical element representing a second task, even though the first task and the second task are assigned the same category.

It would have therefore been obvious to one of ordinary skill in the art, having the teachings of Microsoft Project before him at the time the invention was made, to modify the “Box Styles dialog box” of Microsoft Project, or include a second, similar dialog box, such that it can be applied to customize the display of *selected* graphical elements, like done by the above-described “Format, Font” dialog box, i.e. so that it can be applied to customize the display of the graphical elements (i.e. the border, selection of data fields, and layout of data fields) on a task-by-task basis, whereby a first graphical element representing a first task can comprise different data fields and a different layout of data fields from a second graphical element representing a second task, even though the first and second tasks are assigned the same category. It would have been advantageous to one of ordinary skill to utilize such a modification, because the user would thereby be able to further refine the display of the project data, as is demonstrated by the above-described “Format, Font” dialog box. Accordingly, Microsoft Project is considered to teach – to one of ordinary skill in the art – a method like that of claim 19. Microsoft Project, being a software program, is understandably stored on computer memory and executed by a computer. Such computer memory storing Microsoft Project, as modified as described above, is accordingly considered a computer-readable medium like that of claim 35.

As per claims 20 and 36, the “Box Styles” dialog box of Microsoft Project can be applied to select more or less data fields to display within a graphical element (see e.g. page 722). It is therefore understood that such a dialog box can be applied to select a

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second set of cells, wherein the second set of cells has more cells configured to display a second set of data fields than the first set of cells, like claimed.

As per claims 22 and 38, Pyron discloses that the user's project data may be saved for display at a later time (for example, see pages 91-100). It is consequently understood that the association between the task represented by each graphical element within the PERT chart and its associated format is saved so that when the chart is re-displayed, the graphical element for the task can be displayed in its selected format, along with its associated data fields.

Concerning claims 24-27 and 39-41, Microsoft Project comprises a "Box Styles" dialog box, which displays various options for specifying a style of a graphical element (see pages 720-722). Microsoft Project additionally includes a separate dialog box (i.e. a "Text Styles" dialog box), which is applied to specify how data within a graphical element is to be (see e.g. pages 697-700). Such a dialog box displays an indication of pre-existing templates (each associated with a particular font) for the display of data (see e.g. pages 697-700).

As per claims 28 and 42, Microsoft Project comprises a "Box Styles" dialog box, described above, which can be used to specify data fields to be displayed within each graphical element (see e.g. page 720-722). Accordingly, it is understood that the user can select a second format in which to display a graphical element representing a task, wherein the task has associated data variables and the selected second format specifies the data variables of the second task whose values are to be displayed within the selected graphical representation.

With respect to claim 29, Microsoft Project provides various means for customizing the graphical representation of a project, the project having tasks, a task having variables, as is described above. In particular, Microsoft Project teaches: providing a network diagram (i.e. a PERT chart) that graphically represents project data see e.g. pages 225-231 and 720-721); assigning tasks of the project a category, e.g. “critical,” summary,” “milestone,” etc. (see e.g. pages 225-231 and 720-721); displaying, for each of a plurality of tasks of the project belonging to a first category, a graphical element with a first border enclosing a first set of one or more data variables arranged in a first layout (see e.g. pages 225-231 and 720-722); receiving from a user a selection of a first task (e.g. the user double-clicks on a border of a graphical element representing a first task), and displaying an indication of data variables of the first task (see e.g. pages 720-722); receiving from the user (i.e. via a “Box Styles” dialog box) a selection of a second set of one or more data variables different from the first set of data variables, wherein the second set of data variables are arranged in a second layout different from the first layout (see e.g. pages 720-722); and displaying a graphical element representing the first task with the selected second set of data variables arranged in the second layout (see e.g. pages 720-722). The user cannot customize the display of the project data on a task-by-task basis such that a graphical element representing the first task is displayed in the second layout at the same time a graphical element representing a second task is displayed in the first layout, even though the first task and the second task are assigned the same category, as is claimed.

Nevertheless, it is known to provide the ability to customize graphical representations of tasks on a task-by-task basis, even though the tasks may belong to the

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same category. For example, Microsoft Project includes a dialog box (i.e. a “Text Styles” dialog box) that is applied to change the format of the text displayed with respect to the tasks, on a category-by-category basis. Such a dialog box is analogous to the above-described “Box Styles” dialog box, which is applied to change the format of the PERT chart boxes (i.e. graphical elements) on a category-by-category basis. However, Microsoft Project further includes a separate dialog box (hereinafter referred to as the “Format, Font” dialog box) that is applied to similarly change the format of the text displayed with respect to *any selected* tasks (see e.g. “Formatting Selected Text” on page 700). It is therefore apparent that the user can apply such a dialog box to customize the display of the text on a task-by-task basis, such that for example, the text displayed with respect to first graphical element representing a first task comprises a different format from the text displayed with respect to a second graphical element representing a second task, even though the first task and the second task are assigned the same category.

It would have therefore been obvious to one of ordinary skill in the art, having the teachings of Microsoft Project before him at the time the invention was made, to modify the “Box Styles dialog box” of Microsoft Project, or include a second, similar dialog box, such that it can be applied to customize the display of *selected* graphical elements, like done by the above-described “Format, Font” dialog box, i.e. so that it can be applied to customize the display of the graphical elements (i.e. the border, selection of data fields, and layout of data fields) on a task-by-task basis, whereby a first graphical element representing a first task can comprise different data fields and a different layout of data fields from a second graphical element representing a second task, even though the first and second tasks are assigned the same category. It would have been advantageous to

one of ordinary skill to utilize such a modification, because the user would thereby be able to further refine the display of the project data, as is demonstrated by the above-described “Format, Font” dialog box. Accordingly, Microsoft Project is considered to teach – to one of ordinary skill in the art – customizing the display of the project data on a task-by-task basis such that a graphical element representing the first task is displayed in the second layout at the same time a graphical element representing a second task is displayed in the first layout, even though the first task and the second task are assigned the same category, as is claimed. Microsoft Project, being a software program, is understandably stored on computer memory and executed by a computer. Such computer memory storing Microsoft Project, as modified as described above, is accordingly considered a computer-readable medium like that of claim 29.

As per claim 30, Pyron discloses that the user’s project data may be saved for display at a later time (for example, see pages 91-100). It is consequently understood that the association between the task represented by each graphical element within the PERT chart and its associated format is saved so that when the chart is re-displayed, the graphical element for the task can be displayed in its selected format, along with its associated data fields.

Concerning claims 32-34, Microsoft Project comprises a “Box Styles” dialog box, which displays various options for specifying a style of a graphical element (see pages 720-722). Microsoft Project additionally includes a separate dialog box (i.e. a “Text Styles” dialog box), which is applied to specify how data within a graphical element is to be (see e.g. pages 697-700). Such a dialog box displays an indication of pre-existing

templates (each associated with a particular font) for the display of data (see e.g. pages 697-700).

Claims 21 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project, which is described above, and also over U.S. Patent No. 5,704,028, which is attributed to Schanel et al. (and hereafter referred to as "Schanel").

As described above, Microsoft Project teaches a method and computer readable medium like that of claims 19 and 35, respectively, whereby a plurality of project tasks assigned a first category are each represented via a graphical element within a PERT chart, the graphical element being displayed in either a first or second format, whereby the first and second format each specify a particular border surrounding a particular set of cells arranged in a particular layout, the cells being configured to display a particular set of data fields of the tasks. Microsoft Project, however, does not explicitly disclose that at least one of these sets of cells includes a label, as is expressed in each of claims 21 and 37. Nevertheless, including labels with fields is well known in the art.

For example, like Microsoft Project, Schanel describes a graphical drawing program used for creating graphical charts having data fields displayed therein (see e.g. column 3, line 55 – column 4, line 19). Like the PERT chart feature of Microsoft Project, the program of Schanel can be applied to display project data in chart, with each task of the project represented by a graphical element within the chart, and with each graphical element comprising a set of cells for displaying data fields associated with the corresponding task (see e.g. FIG. 2). Particularly regarding the claimed invention,

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Schanel demonstrates that cells may include a label, i.e. a field name (see e.g. column 15, lines 1-9).

It would have been obvious to one of ordinary skill in the art, having the teachings of Microsoft Project and Schanel before him at the time the invention was made, to modify the cells taught by Microsoft Project such that they can include a label, like taught by Schanel. It would have been advantageous to one of ordinary skill to utilize a label, because it provides the user with more information regarding the data displayed in the corresponding field, potentially making the chart easier to understand, as is demonstrated by Schanel (see e.g. FIG. 12). Microsoft Project and Schanel, in combination, thus teach to one of ordinary skill in the art a method and computer readable medium like that of claims 21 and 37, respectively.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571)272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571)272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/  
Primary Examiner, Art Unit 2173

btb  
3/16/2008